

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
)	
Muncie Precision Hard Chrome)	FINDING OF VIOLATION
Muncie, Indiana)	
)	EPA-5-99-IN-16
)	
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 <u>et seq.</u>)	
_____)	

FINDING OF VIOLATION

The U.S. Environmental Protection Agency (U.S. EPA) hereby notifies the State of Indiana and Muncie Precision Hard Chrome, Inc (MPHC) that U.S. EPA finds the MPHC hard chrome plating facility, located at 1001 East 18th Street, Muncie, Indiana, in violation of Section 112 of the Act, 42 U.S.C. § 7412, and regulations promulgated thereunder setting forth National Emission Standards for Hazardous Air Pollutants (NESHAPS) for Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks, 40 C.F.R. Part 63 and Section 113 of the Clean Air Act. Specifically, MPHC is in violation of the Chromium Electroplating and Anodizing NESHAP and the Clean Air Act as follows:

Factual background

1. MPHC owns and operates a facility which includes 2 tanks, identified as tank 1 and tank 2, used for hard chromium electroplating. These tanks are hard chromium electroplating tanks under 40 CFR Part 63 Subpart N.
2. The maximum cumulative potential rectifier capacity at the MPHC facility is greater than or equal to 60 million ampere-hours per year. Therefore, pursuant to 40 C.F.R. § 63.341, the MPHC facility is a large hard chromium electroplating facility. The hard chromium electroplating tanks at the MPHC facility must meet the emission limit of 0.015 mg/dscm under 40 C.F.R. § 63.342(c). 40 C.F.R. § 63.7(a)(2)(iii) requires performance testing for this source no later than July 24, 1997.

Compliance History

3. On April 28, 1997, MPHC informed U.S. EPA that it would not be able to conduct the required performance testing by July 24, 1997.
4. To resolve the violation of the performance testing requirement, on September 5, 1997, U.S. EPA issued an Agreed Order to MPHC under Section 113(a) of the CAA. The Order required MPHC to conduct a stack test no later than July 24, 1998.
5. By letter received July 16, 1998, MPHC notified U.S. EPA that it would not be conducting the required stack test by July 24, 1998.
6. On August 18, 1998, U.S. EPA notified MPHC that MPHC's continued operation without performance testing constituted violation of the Agreed Order.
7. In a letter dated August 19, 1998, MPHC explained that the letter received on July 16 was intended to request a test waiver pursuant to 40 C.F.R. § 63.7. Under 40 C.F.R. § 63.7 (h)(3)(I), application for a waiver of an initial performance test must be submitted at least 60 days before the performance test. As MPHC was required to conduct the performance test no later than July 24, the July 16 extension request was made less than 60 days before the required test and U.S. EPA could not approve the request for a test waiver.
8. U.S. EPA issued an Administrative Order to MPHC on November 25, 1998, requiring MPHC to cease operations until it conducted a stack test; submit prior notification of the testing to U.S. EPA and IDEM; and submit the test results to IDEM and U.S. EPA within 30 days of the test.
9. On December 8, 1998, MPHC conducted the stack test. MPHC had not notified U.S. EPA of the test.
10. On February 1, 1999, U.S. EPA received a letter from MPHC that did not contain the stack test results.
11. On February 10, 1998, MPHC provided the stack test results to U.S. EPA. The results from the test were:

<u>Test Run</u>	<u>Actual Emission</u>	<u>Emission Limit</u>
1	.2569 mg/dscm	.015 mg/dscm
2	.0971 mg/dscm	.015 mg/dscm
3	<u>.0563 mg/dscm</u>	<u>.015 mg/dscm</u>
Average	0.1368 mg/dscm	.015 mg/dscm

Violations

12. Based on information before U.S. EPA, since January 25, 1997, MPHC has been violating the 0.015 mg/dscm emission limit for its hard chrome electroplating tanks. This is a violation of the requirements set forth in 40 C.F.R. § 63.342(c)(1)(I), and § 63.343(a)(1)(ii).
13. MPHC failed to conduct the performance test by the extension date of July 24, 1998. This is a violation of the requirements set forth in 40 C.F.R. § 63.343(b), and § 63.7(a)(2)(iii).
14. MPHC failed to follow requirements set forth in the U.S. EPA administrative order issued on November 25, 1998. This is a violation of Section 113(a) of the Clean Air Act 42 U.S.C.
15. § 7413(a).

4/27/99

Date

Demmy Hart for

Richard C. Karl, Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, hereby certify that a Finding of Violation was sent by Certified Mail, Return Receipt Requested, to:


Darryal E. Hawkins, President
Muncie Precision Hard Chrome
1001 East 18th Street
P.O. Box 2631
Muncie, Indiana 47302

I also certify that copies of the Finding of Violation were sent by first class mail to:

Richard Zeiler, Chief
Compliance Branch
Office of Air Management
Indiana Department of Environmental Management
100 North Senate, Room 1001
Indianapolis, Indiana 46206-6015

David T. Rice, Administrative Assistant
Administrative Group
Indiana Department of Environmental Management
100 North Senate, Room 1001
Indianapolis, Indiana 46206-6015

on the 27th day of April, 1999.


Betty Williams, Secretary
AECAS, (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: P140779106